

February 29, 2012

Laura W. Halgren
Judge of the Superior Court
P O Box 122724
San Diego, CA 92112-2724

Re: Your Request for Advice
Our file No. A-12-025

Dear Ms. Halgren:

This letter responds to your request for advice regarding the disclosure provisions of the Political Reform Act (the “Act”).¹

QUESTION

May you list an alternate address as the business address for an LLC that you and your husband own instead of the LLC’s official address, which is your home address?

CONCLUSION

Yes.

FACTS

Your husband and you have an LLC that owns rental property. The address of the LLC is your home address. You have listed the address of the rental property on your Statement of Economic Interests (FORM 700) as a business interest but that is not the official address of the LLC; your home address is. Rather than listing your home address, which you would prefer to keep private due to judicial security concerns, you would like to know if it is acceptable to list your work address instead.

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

ANALYSIS

Section 87207 requires that when income is required to be disclosed, the disclosure shall include the “name, address, and general description of the business activity.” (Section 87207(b)(1).) Assuming that the rental income you receive from the LLC is more than \$10,000, you must report the income and the information that is required under Section 87207, which includes the address of the business entity. With respect to what address you need to report, you may report any valid physical address that you have related to the business. In this case, since the LLC rents property, you may list any address related to the business, either your home address, the address of the agent of the business, or the address of the rental property itself. Reporting a public agency address as the address of your private business would not be prudent and may be misconstrued.

If you have other questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Zackery P. Morazzini
General Counsel

By: William J. Lenkeit
Senior Commission Counsel
Legal Division

WJK:jgl